UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1/Add.52
1 December 2000

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT

Concluding Observations of the Committee on
Economic, Social and Cultural Rights

FINLAND

1. The Committee on Economic, Social and Cultural Rights considered the fourth periodic report of Finland on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/4/Add.1) at its 61st, 62nd and 63rd meetings, held on 15 and 16 November 2000, and adopted, at its 75th meeting, held on 24 November 2000, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the fourth periodic report of Finland, which has been prepared in general in conformity with the revised reporting guidelines established by the Committee. The Committee notes with satisfaction the responses given in the report to its previous concluding observations.

3. The Committee expresses its appreciation for the readiness of the State party to advance the date of the consideration of its fourth periodic report, which is the first fourth periodic report received and considered by the Committee. The Committee also welcomes the timely submission of written replies to the list of issues, even at such short notice.

4. The Committee notes with satisfaction the open, candid and constructive dialogue with the members of the State party delegation and thanks them for the additional information provided to the Committee upon returning to the capital.

B. Positive aspects

5. The Committee commends the State party on its ratification of the Additional Protocol to the European Social Charter providing for a system of collective complaints, and for its support for the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights.

6. The Committee welcomes the participation of NGOs in the drafting of the State party's periodic reports on the implementation of human rights conventions.

7. The Committee notes with satisfaction the inclusion in the State party's Constitution of age as a prohibited ground of discrimination.

8. The Committee notes with appreciation the adoption by the State party of a programme on the integration of immigrants (April 1999), as well as the proposal prepared by the Ministry of Labour for a plan of action to prevent ethnic discrimination and racism. The Committee further welcomes the proposal for the establishment of an Office of Ombudsman against Ethnic Discrimination.

9. The Committee welcomes the decrease in unemployment, in general, and the fall in youth unemployment, in particular in Finland over the reporting period.

10. The Committee notes with appreciation that at the 159th session of the UNESCO Executive Board (May 2000) Finland underlined the importance of collaboration between the Committee on Economic, Social and Cultural Rights and UNESCO in the context of follow-up to the Dakar Framework for Action (April 2000), with a view to achieving the effective realization of the right to education.

C. Factors and difficulties impeding the implementation of the Covenant

11. The Committee notes the favourable economic conditions prevailing in Finland and observes no insurmountable factors or difficulties preventing the State party from effectively implementing the Covenant.

D. Principal subjects of concern

12. The Committee is concerned that, while the Covenant may be directly invoked before the courts of Finland, there is no case law data suggesting that this has ever happened. In this respect, the Committee is concerned that lawyers and judges may not be sufficiently aware of the rights enshrined in the Covenant.

13. The Committee notes with concern that in 1999 Finland devoted only 0.32 per cent of its Gross Domestic Product (GDP) to international cooperation, while the United Nations recommendation in this regard is 0.7 per cent of GDP for industrialized countries.

14. The Committee regrets that, despite the many initiatives taken by the State party to combat racial discrimination, racist attitudes prevail among the population, perpetuating discrimination against minorities and foreigners, especially in employment.

15. The Committee expresses concern about the practical enjoyment of their labour rights by the so-called "stand-by" workers who allegedly can be laid off without notice.

16. The Committee reiterates its concern, expressed in paragraph 13 of its previous concluding observations (E/C.12/1/Add.8), that although collective agreements in some sectors of professional activity contain provisions for the determination of minimum wages, no minimum wage is guaranteed nationally.

17. While welcoming the several studies and projects concerning violence against women carried out in the past few years in Finland, the Committee notes with concern that the phenomenon has reached alarming proportions. The Committee reiterates its regret at the absence of comparative statistical information on the extent of the problem, as well as lack of information on the remedies, rehabilitation and services provided to victims.

18. The Committee notes with concern the lack of affordable accommodation, especially in the Helsinki metropolitan area, for the homeless, a group consisting mainly of alcoholics, drug abusers, victims of domestic violence and the mentally ill.

19. The Committee regrets the weakening of the public health care system as a result of cuts in the Government's health spending.

20. The Committee is particularly concerned that certain municipalities allocate insufficient funds to health care services. This has resulted in inequality with regard to levels of health care service provision depending on the place of residence, to the detriment in particular of children, persons with physical and mental disabilities and older persons.

E. Suggestions and recommendations

21. The Committee urges the State party to formulate and implement a national plan of action for the protection and promotion of human rights, as recommended in paragraph 71 of the Vienna Declaration and Programme of Action of 1993.

22. The Committee encourages the State party to ensure that all judges and lawyers receive further training provided free of charge to familiarize them with the provisions of the Covenant and the general comments adopted by the Committee.

23. The Committee recommends that the State party review its budget allocation for international cooperation with a view to increasing its contribution in accordance with the United Nations recommendation.

24. The Committee encourages the State party, as a member of international financial institutions, to do all it can to ensure that the policies and decisions of those organizations are in

conformity with the obligations of States parties to the Covenant, in particular the obligations contained in article 2.1 concerning international assistance and cooperation.

25. The Committee urges the State party to finalize its review of the legislation concerning the Sami population with a view to ratifying ILO Convention No. 169. The Committee recommends that the State party settle the question of Sami land title as a matter of high priority.

26. The Committee requests the State party to provide information in its fifth periodic report on the enjoyment by the Roma of their economic, social and cultural rights.

27. The Committee urges the State party to continue and strengthen its efforts to combat racism and xenophobia.

28. The Committee recommends that the State party ensure that legislative provisions concerning job security are effectively implemented, especially as regards the most vulnerable groups, such as part-time, "stand-by" workers and foreigners.

29. The Committee reiterates the recommendation made in paragraph 20 of its previous concluding observations (E/C.12/1/Add.8) that the State party provide for minimum wages at the national level, in order for protection to be ensured also to workers who are not protected by sectoral collective agreements.

30. The Committee requests the State party to provide comparative statistical data, in its fifth periodic report, on the extent of violence against women. The Committee also requests detailed information on the results of the measures taken by the Government to address the phenomenon, including on facilities, rehabilitation and remedies accorded to victims.

31. The Committee further recommends that the State party ensure that adequate resources are afforded to public health services and that the cost of private health care remains affordable to all sectors of society.

32. The Committee calls on the State party to ensure that municipalities provide adequate health services, especially to vulnerable groups such as children, older persons and persons with physical and mental disabilities. In this respect, the Committee requests the State party to provide information, in its fifth periodic report, on the services available in municipalities particularly for those in need of mental health care services.

33. The Committee calls upon the State party to take special care in ensuring the equality of standards in education for all in accordance with article 13 of the Covenant and the Committee's General Comments Nos. 11 and 13.

34. The Committee requests that the State party disseminate these concluding observations as widely as possible among its citizens.

35. The Committee requests the State party to address, in its fifth periodic report, the implementation of these concluding observations.

36. The Committee requests the State party to submit its fifth periodic report by 30 June 2005.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1/Add.53
1 December 2000

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social And Cultural Rights

PORTUGAL

1. The Committee on Economic, Social and Cultural Rights considered the third periodic report of Portugal on articles 1 to 15 of the Covenant (E/1994/104/Add.20) at its 58th, 59th and 60th meetings, held on 14 and 15 November 2000, and, at its 74th meeting, held on 24 November 2000, adopted the following concluding observations.

A. Introduction

2. The Committee expresses its appreciation to the State party for the full and detailed report it submitted and for the additional information it provided orally and in writing during the constructive dialogue held by the members of the Committee and the delegation of Portugal.

B. Positive aspects

3. The Committee commends the State party on its efforts to implement the recommendations made in connection with its second periodic report, particularly legislative measures to promote equality between men and women introduced through law No. 105/97 of 13 September 1997.

4. The Committee welcomes the fact that the State party has indicated its strong support for an optional protocol to the Covenant and has ratified the Additional Protocol to the European Social Charter providing for a system of collective complaints.

5. The Committee welcomes the State party's decision to ratify International Labour Organization Convention No. 118 (Equality of Treatment (Social Security)).

6. The Committee commends the efforts the State party is making to promote the independence of East Timor and the substantial assistance it is providing to that United Nations-administered territory.

C. Factors and difficulties impeding the implementation of the Covenant

7. In the light of information submitted to it by the State party the Committee does not find any factors or particular difficulties that impede the full implementation of the Covenant.

D. Principal subjects of concern

8. The Committee regrets that approximately one fifth of the population of the State party still lives below the poverty line and that no comprehensive study of the problem of poverty has been undertaken by the State party.

9. The Committee is concerned about the lack of a national human rights plan in accordance with the recommendation contained in paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

10. The Committee expresses its concern about the occurrence of child labour in breach of the State party's international obligations, in particular, its obligations under the Covenant.

11. The Committee expresses its concern about cases of intolerance and discrimination with regard to Roma people, refugees and immigrants. The Committee also notes with concern that foreign workers cannot enrol in the vocational guidance and training courses to which Portuguese workers are entitled.

12. The Committee expresses its concern at the persistence of discrimination against women in the fields of employment and equality of wages and opportunity with men. Another subject of concern is the phenomenon of violence against women, including marital violence.

13. The Committee is also concerned at the increase of trafficking in women which is linked to organized crime.

14. The Committee takes note with concern of the increase in paedophilia and child pornography. These phenomena are associated with the increase in drug trafficking and consumption and other criminal activities which endanger the security and health of the population of the State party.

15. The Committee notes with concern the relatively high school drop-out rates and the rate of high illiteracy in the State party.

E. Suggestions and recommendations

16. The Committee urges the State party to review its general strategy for the eradication of poverty and step up its activities to combat it.

17. The Committee calls on the State party to adopt a national human rights plan in accordance with paragraph 71 of the Vienna Declaration and Programme of Action, of 1993.

18. The Committee urges the State party to intensify its efforts to create a culture of tolerance and to eliminate all forms of discrimination, in so far as they affect women, Roma, asylum seekers and immigrants.

19. The Committee urges the State party to allow foreign workers to enrol in the vocational guidance and training courses to which Portuguese workers are entitled.

20. The Committee recommends that the State party ensure stricter application of the legal provisions guaranteeing men and women equal pay for equal work.

21. The Committee suggests that the State party strictly implement the measures at its disposal to monitor and impose the appropriate penalties on persons or companies using child labour.

22. The Committee recommends that the State party intensify its efforts to prevent drug addiction among young people and impose appropriate penalties on persons who commit offences relating to paedophilia, child pornography and trafficking in women. The Committee also recommends that the State party give due consideration to ratifying ILO Convention No. 138 (minimum age).

23. The Committee urges the State party to intensify its campaign against the persisting problem of illiteracy in the State party.

24. The Committee requests the State party to disseminate the present concluding observations widely at all levels of society and reflect their implementation in the next periodic report.

25. The Committee has decided that the fourth periodic report of the State party should be submitted by the State party by 30 June 2005.

---

4. The Committee also notes with appreciation the State party's indication of its support for the Committee's work with regard to the draft optional protocol to the Covenant.

C. Factors and difficulties impeding the implementation of the Covenant

5. The Committee notes with concern that there are not sufficient mechanisms to coordinate and ensure uniformity of compliance, at both the federal and regional levels, with the State party's international human rights obligations.

6. The Committee notes that article 23 of the Constitution represents a step forward in that it incorporates a number of economic, social and cultural rights, leaving the guarantee of such rights to statutes and royal decrees. However, such legislation has so far not been adopted. While article 23, read in conjunction with other fundamental rights guarantees of the Belgian Constitution, could be interpreted to be applicable directly in the domestic legal order, such interpretation still depends on the exercise of discretion by the national courts.

D. Principal subjects of concern

7. The Committee regrets that the State party has not established a comprehensive national plan of action for human rights, in accordance with paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

8. The Committee also expresses its concern about the lack of an independent national human rights institution, established in accordance with the Paris Principles of 1991, which would serve to monitor the entire range of human rights in the country.

9. The Committee is deeply concerned that there is no specific legislation which outlaws acts of xenophobia and racism, and in particular the activities of right-wing racist political parties, which are increasingly present on the political scene, especially in Flanders.

10. The Committee expresses its concern about the discriminatory effects against women of the so-called "cohabitation rule" in the unemployment insurance regime of Belgium.

11. The Committee is also concerned about the persistent gap between the unemployment rates of men and women and the discrepancy between them with regard to wages.

12. The Committee expresses its concern about the considerable unemployment among young people and the fact that that State party has not sufficiently addressed the long-term unemployment of persons over 45 years of age, nor the situation of those who have been forced into early retirement.

13. The Committee is also concerned about the phenomena of paedophilia, prostitution of children, child pornography and violence against children.

14. In the light of article 28 of the Covenant, the Committee is concerned about the significant shortage of social housing in Belgium, especially in Flanders. The Committee is also concerned that larger families, as well as single-parent and low-income families, are at a disadvantage in qualifying for such social housing.

15. The Committee is deeply concerned that the State party has not established adequate mechanisms to ensure uniformity in the application of educational standards, including international norms on education, in all regions, owing to the fact that the regional governments have primary responsibility in the formulation of educational policy. The Committee also regrets that the delegation provided uneven information on the implementation of the right to education in the different regions.

16. The Committee notes with concern that, in 1998, Belgium devoted only 0.35 per cent of its gross domestic product (GDP) to international cooperation, while the United Nations recommendation in this regard is 0.7 per cent of GDP for industrialized countries.

E. Suggestions and recommendations

17. The Committee recommends that, in the next periodic report, the State party provide more details on the mechanisms adopted to coordinate and ensure uniformity in activities by the various levels of government aimed at complying with international human rights obligations, in the light of article 28 of the Covenant.

18. The Committee urges the State party to formulate and adopt a comprehensive plan of action for human rights, as called for in paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

19. The Committee also urges the State party to establish an independent national human rights institution, in accordance with the Paris Principles of 1991.

20. The Committee recommends that the State party, having ratified the Covenant, take appropriate steps to guarantee fully the direct applicability of the Covenant in the domestic legal order.

21. The Committee recommends that the State party adopt measures to ensure that xenophobia, racism and activities of racist organizations, groups or political parties are outlawed, with a view to complying with the principle of non-discrimination, set forth in article 2.2 of the Covenant.

22. The Committee urges the State party to revise the "cohabitation rule" in the unemployment insurance regime, in order to eliminate its indirect discriminatory impact on women.

23. The Committee recommends that the State party undertake more active measures to address the inequality of employment between men and women and the discrepancy in wages between them, as well as to promote women's access to all levels of the labour market.

24. The Committee encourages the State party to combat unemployment among young people and the long-term unemployment of workers over the age of 45, through appropriate vocational and technical training. The Committee would welcome more information in the State party's next periodic report on the measures taken and on the results achieved.

25. The Committee urges the State party to take effective measures to combat paedophilia, child prostitution, child pornography and violence against children, and to seek international cooperation in this regard.

26. The Committee urgently requests more detailed information in the State party's next periodic report on the situation of social housing in Belgium, especially in Flanders. The Committee also recommends that the State party take measures to eliminate the disadvantage of larger families, as well as of single-parent and low-income families, in qualifying for such social housing.

27. The Committee recommends that the State party establish an adequate mechanism to monitor and ensure uniformity of educational standards, such as those arising from international legal obligations, throughout the country. In addition, the Committee would welcome information in its next periodic report that reflects adequately and in a balanced manner the situation of education in all regions and communities.

28. The Committee requests more information in the State party's next periodic report concerning the initiative introduced in September 1999 to assist Flemish secondary school students who are in conflict with the educational system and, if the initiative has proved successful, the Committee suggests that consideration be given to its introduction in all the regions.

29. The Committee looks forward to receiving information from the State party in its next periodic report on the enjoyment of the right to participate in and benefit from cultural life, such as access to cultural activities and cultural property, especially by disadvantaged and marginalized groups in society, persons with disabilities and older persons.

30. The Committee recommends that the State party review its budget allocation for international cooperation with a view to increasing its contribution, in accordance with the United Nations recommendation.

31. The Committee encourages the Government of Belgium, as a member of international organizations, in particular the International Monetary Fund and the World Bank, to do all it can to ensure that the policies and decisions of those organizations are in conformity with the obligations of States parties to the Covenant, in particular the obligations contained in article 2.1 concerning international assistance and cooperation.

32. The Committee requests the State party to include in its next periodic report information on how the State party has taken into consideration the suggestions and recommendations contained in the present concluding observations. The Committee looks forward to receiving the third periodic report of Belgium no later than 30 June 2005.

33. The Committee encourages the State party to disseminate widely the present concluding observations.

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1/Add.55
1 December 2000

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

MOROCCO

1. The Committee on Economic, Social and Cultural Rights considered the second periodic report of Morocco on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.20) at its 70th, 71st and 72nd meetings, held on 22 and 23 November 2000, and adopted, at its 82nd meeting, held on 30 November 2000, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report of Morocco, prepared in general in conformity with the revised reporting guidelines established by the Committee, and welcomes the written replies to its list of issues.

3. The Committee appreciates the candid and constructive dialogue with the delegation, which consisted of experts in the field, and its readiness to reply to additional questions and to furnish additional information whenever available. The Committee, however, regrets that the delegation was unable to provide an adequate response, in particular statistical information, to some specific questions in the list of issues, as well as to follow-up questions during the dialogue. The Committee notes the State party's indication that replies to the questions which were not adequately answered during the dialogue would be made available as early as possible.

B. Positive aspects

4. The Committee welcomes the initiative taken by King Mohammed VI and his new Government to further the development of a human rights culture in Morocco and notes with satisfaction the establishment of the Ministry for Human Rights. In addition, the Committee welcomes the efforts of the State party to implement its obligations under international human rights instruments in general, and under the International Covenant on Economic, Social and Cultural Rights in particular.

5. The Committee notes with satisfaction the establishment of a national human rights institution and the intention of the State party to set up an Office of a National Ombudsman.

6. The Committee appreciates that, following the Beijing Fourth World Conference on Women, the State party introduced a national strategy for the advancement of women in 1997, and that an Action Plan for Integrating Women into Development has been adopted.

7. The Committee notes with satisfaction the efforts by the State party with respect to the information campaign to disseminate information on international human rights instruments among the judiciary.

8. The Committee notes with interest the efforts being made by the State party to deal with the debt burden, such as bilateral debt conversions with certain donor countries.

C. Factors and difficulties impeding the implementation of the Covenant

9. The Committee notes that the persistence of traditional practices and attitudes, deeply entrenched in Moroccan society, with regard to women and children hamper the ability of the State party to protect and promote their economic, social and cultural rights.

10. The Committee also notes the difficulties faced by the State party in complying with its debt servicing obligations which take up a considerable percentage of gross national product, thus impeding the State party's ability to comply with its obligations under the Covenant.

D. Principal subjects of concern

11. The Committee expresses its concern that the State party has not provided any information on the measures taken by the State party with regard to the suggestions and recommendations made by the Committee on Morocco's initial report in 1994 (see E/C.12/1994/5), nor on the results of these measures. Many of the issues referred to in the concluding observations of 1994 remain subjects of concern in the present concluding observations.

12. The Committee is concerned that no legislative, judicial and administrative measures have yet been adopted by the State party to give effect to many of the provisions of the Covenant.

13. With regard to the situation in the Western Sahara, the Committee regrets that there has not been a definite solution to the question of self-determination.

14. The Committee is concerned that the State party has not yet formulated a comprehensive plan of action on human rights in accordance with paragraph 71 of the 1993 Vienna Declaration and Programme of Action.

15. The Committee regrets that the State party does not take its obligations under the Covenant into consideration in its negotiations with international financial institutions.

16. Despite the measures taken by the State party to advance the status of women in Moroccan society, the Committee is concerned that there are still persisting patterns of discrimination against women in national legislation, particularly in family and personal status law, as well as inheritance law.

17. The Committee regrets the continuing delays with regard to the adoption of a new labour code, aiming at the unification of existing labour legislation, which was already referred to by the Committee in its concluding observations of 1994. Moreover, the Committee is concerned that certain issues contained in the draft labour code, such as the minimum age for labour and conditions of child labour, are not in conformity with the relevant ILO Conventions (Nos. 138 and 182 respectively), which the State party has not yet ratified.

18. The Committee expresses its concern that the minimum wage in Morocco is not sufficient to allow workers to maintain an adequate standard of living for themselves and their families. Moreover, no adequate reason was given for the considerable discrepancy between the minimum wage of industrial workers and that of agricultural workers.

19. The Committee is concerned that the State party did not provide sufficient information regarding (a) the number of accidents, including those causing serious injury or death, occurring in the workplace and (b) the legislative and administrative measures in place to prevent the occurrence of such accidents.

20. The Committee expresses its concern that the State party does not provide for appropriately severe and enforceable penalties to ensure that employers, especially in the handicraft and light industries, are prevented from resorting to child labour under the legal minimum working age.

21. The Committee is also concerned that there is no legislation in place which affords protection to those who are employed as domestic workers, especially young girls, who are ill-treated and exploited by their employers.

22. The Committee is concerned about the continuing restrictions on the right to strike as laid down in article 8 of the Covenant, particularly under article 288 of the State party's Penal Code. The Committee regrets that the State party has not yet ratified ILO Convention No. 87 on the freedom of association and protection of the right to organize.

23. The Committee notes with concern the persistent discrimination against children born out of wedlock, who are frequently abandoned by their parents, and their lack of legal protection with regard to personal status and family law.

24. The Committee is concerned about the large number of children who live in the streets, of whom 22 per cent are under the age of five.

25. The Committee expresses its concern about the high percentage of people living below the poverty line in Morocco, especially in rural areas.

26. The Committee is concerned about the disparities in the standard of living between rural and urban areas, insofar as the former have considerably less access to clean drinking water, sanitary facilities and electricity.

27. The Committee also expresses its concern about the lack of affordable social housing in Morocco. In addition, the Committee regrets that the State party has not provided adequate information, including statistical data, on the incidence of homelessness and forced eviction, taking into account the Committee's General Comment No. 7 on forced evictions.

28. The Committee regrets that the State party has not adopted a national strategy and action plan on health, and that health coverage provided by the State party does not cover more than 20 per cent of the population. Moreover, the Committee is concerned that access to primary health care in rural areas is even more limited, in comparison to the urban areas.

29. The Committee expresses its concern about the high rate of maternal and infant mortality in Morocco.

30. The Committee is concerned that the State party does not exercise sufficient control, by means of legislative and administrative measures, over factories manufacturing foodstuffs which do not conform to international standards and cause death or constitute a health hazard to the population of Morocco.

31. The Committee expresses its concern about the high rate of illiteracy in the State party, especially among women in rural areas.

32. The Committee is deeply concerned about the low level of primary school attendance. Currently less than 50 per cent of children of both sexes are being regularly educated. In addition, the Committee is also concerned that the access of young girls to education is considerably more limited, particularly in the rural areas, which accounts for the fact that the adult illiteracy rate is 65 per cent for women, as against 40 per cent for men.

33. The Committee regrets that the State party has not provided adequate information on the enjoyment of the right of minorities, such as the Amazigh people, to participate in cultural life in Morocco.

E. Suggestions and recommendations

34. The Committee urges the State party to adopt legislative and other measures to give effect to all the provisions of the Covenant.

35. The Committee encourages the State party to seek a solution, in cooperation with the United Nations, to the problems impeding the realization of the referendum on the issue of self-determination in Western Sahara.

36. The State party is urged to formulate and implement a comprehensive national plan of action for the protection and promotion of human rights, as recommended in paragraph 71 of the Vienna Declaration and Programme of Action of 1993, and to include information on this matter in the next periodic report.

37. The Committee encourages the State party to ensure that the Office of the National Ombudsman, which is to be established shortly, functions in conformity with the Paris Principles of 1991. The Committee looks forward to receiving information on the results of these efforts in the next periodic report.

38. The Committee strongly recommends that Morocco's obligations under the Covenant be taken into account in all aspects of its negotiations with international financial institutions, like the International Monetary Fund, the World Bank and the World Trade Organization, to ensure that economic, social and cultural rights, particularly of the most vulnerable groups of society, are not undermined.

39. The Committee reiterates its recommendation in paragraph 19 of its concluding observations of 1994 (E/C.12/1994/5), that the State party needs to adopt further measures to provide adequate safety nets for the vulnerable sectors of society affected by structural adjustment programmes.

40. The Committee strongly recommends that the State party proceed as expeditiously as possible with the adoption and full implementation of the Action Plan for Integrating Women into Development. In particular, the Committee urges the State party to amend existing legislation that institutionalizes discrimination against women, such as provisions of family, inheritance and personal status law, with a view to strengthening the legal status of women.

41. The Committee urges the State party to adopt the draft labour code and to ensure that the provisions thereof are in conformity with articles 6, 7 and 8 of the Covenant, as well as with the relevant ILO conventions to which Morocco is party. In this regard, the State party is strongly encouraged to ratify ILO Conventions Nos. 87 (on trade unions), 138 (on minimum age), 169 (on indigenous and tribal peoples) and 12 (on the worst forms of child labour).

42. The Committee recommends that the State party undertake measures to eliminate the existing significant disparity in the minimum wage afforded to the various categories of workers, particularly industrial and agricultural workers. In addition, the Committee strongly recommends that the minimum wage be established at a level that will better ensure an adequate standard of living for workers and their families, in accordance with article 7 of the Covenant.

43. The Committee requests the State party to provide in its next periodic report detailed information regarding (a) the incidence of accidents in the workplace and (b) all the measures taken by the State party to prevent their occurrence.

44. The Committee urges the State party to take remedial action, including the imposition of appropriately severe penalties, in order to ensure that employers, especially in the handicraft and light industries, are prevented from resorting to child labour under the legal minimum working age. In addition, the Committee urges that the State party raise the minimum working age from 12 to 15 years, in accordance with ILO standards (Convention No. 138).

45. The Committee also urges the State party to adopt legislation immediately in order to protect minors who are employed as domestic workers, especially young girls, from being exploited by their employers.

46. The Committee recommends that the State party undertake measures to eliminate excessive restrictions on the right to strike, in particular article 288 of the State party's Penal Code, which criminalizes certain forms of strike.

47. The Committee reiterates its recommendation in paragraph 23 of its concluding observations of 1994 (E/C.12/1994/5) that the State party take legislative and other measures to eliminate discrimination and ensure effective protection against discrimination with regard to children born out of wedlock.

48. The Committee also strongly recommends that the State party address the problem of street children and children born out of wedlock who are abandoned by their parents.

49. The Committee urges the State party to intensify its efforts to address the problem of poverty, especially in the rural areas.

50. The Committee reiterates the recommendation it made in 1994 (E/C.12/1994/5, para. 18), which strongly encourages the State party to take measures to reduce the disparities that exist between the rural and urban areas, inter alia, by improving access to water, electricity and sanitary facilities in the rural areas.

51. The Committee recommends that the State party intensify its efforts to improve the housing situation in Morocco, particularly by providing affordable social housing. The Committee also requests that the State party provide, in its next periodic report, detailed information, including statistical data, on the incidence of homelessness and forced eviction in Morocco, on the measures taken by the State party to address these issues, as well as on the results of these measures.

52. The Committee also recommends that the State party adopt a national strategy and action plan on health which will increase the health coverage provided by the State party, in particular with regard to the rural areas.

53. The Committee urges the State party to take all necessary measures in order to address the problem of the high rate of maternal and infant mortality in Morocco.

54. The Committee also urges the State party to take the appropriate legislative and administrative measures to ensure that sufficient control is exercised on factories manufacturing foodstuffs so that the products manufactured conform to international standards and do not constitute any health hazard.

55. The Committee strongly urges the State party to ensure access to free and compulsory primary education for all, especially for women and girl children, and particularly in the rural areas, taking into consideration the Committee's General Comments Nos. 11 and 13 on the right to education, including primary education. In addition, the Committee requests that information be included in the next periodic report on government subsidies to private higher education and on education programmes for nomadic peoples, on measures taken by the State party in this respect and on the results of these measures.

56. The Committee urges the State party to take remedial action to address the persistent problem of the high rate of illiteracy, particularly among women in rural areas.

57. The Committee requests more detailed information, including statistical data, on the enjoyment of the rights contained in the Covenant by the Amazigh people, including their right to participate in cultural life in Moroccan society, as well as to use their own language.

58. The Committee strongly recommends that the State party avail itself of technical assistance offered by the Office of the United Nations High Commissioner for Human Rights and the relevant United Nations specialized agencies and programmes in its efforts to realize economic social and cultural rights, in compliance with its international legal obligations under the Covenant.

59. The Committee has decided that the third periodic report of Morocco is to be submitted by 30 June 2004, and that it should include information on the steps undertaken by the State party with regard to the suggestions and recommendations contained in the present concluding observations.

60. The Committee requests the State party to disseminate the concluding observations as widely as possible among its citizens at all levels of society.